

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of TexasUnited States of America
v.
Jose Angel Hernandez

Case No.

SA: 19-MJ-01151

FILED
OCT 04 2019
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]* DEPUTY*Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 3rd, 2019 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section*

21 USC 841(a)(1) & (b)(1)(A)

Offense Description

Possession with Intent to Distribute a Controlled Substance, to wit 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine

PENALTIES: 10 YRS TO LIFE/\$10 MILLION/5 YR MIN MANDATORY
TERM OF SUPV RELEASE/\$100 MANDATORY ASSESSMENT

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.*[Signature]* 2019
Complainant's signatureDavid Rodriguez, Detective
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/04/2019*[Signature]*
Judge's signatureCity and state: San Antonio, TexasElizabeth S. Chestney, U.S. Magistrate
Printed name and title

Daphne Newaz

ATTACHMENT "A"

AFFIDAVIT IN SUPPORT OF COMPLAINT

David Rodriguez, BEING DULY SWORN, DEPOSES AND SAYS:

This Affiant has been employed with the San Antonio Police Department for approximately 8 years. This Affiant is a plain clothes Detective currently assigned to the SAPD Narcotics Unit.

As part of an ongoing narcotics investigation, surveillance was established at [REDACTED]. This Affiant had received information that an individual by the name of "Jose" was distributing large quantities of methamphetamine and heroin from that location.

The information this Affiant received was that "Jose" operated a large red Chevrolet truck and a grey Jeep. The source advised me that "Jose" worked as roofer in and around San Antonio. The Source advised me that "Jose" used both the red Chevrolet Pickup and Grey Jeep to deliver large quantities of methamphetamine and heroin in and around San Antonio.

The Source pointed out the home to this Affiant that he/she recognized as "Jose's" address. At that location this Affiant observed a large red Chevrolet work truck was present along with a Grey Jeep Grand Cherokee. The Chevrolet work truck showed Texas Plate: BN37391. The Grey Jeep Showed Texas Plate: MHF6251. This Affiant observed both vehicles parked in front of 123 Querida on multiple occasions during surveillance.

Computer Research showed Jose Hernandez [REDACTED], was affiliated with the address of [REDACTED]. Hernandez showed to have a Valid Texas Driver's License with a return address of [REDACTED].

On 10/03/2019, Hernandez was observed exiting the residence of [REDACTED] and then occupied the front seat of the red Chevrolet pickup. A second occupant also entered the front passenger seat of that vehicle. That occupant was later identified as Jose Ruiz [REDACTED].

Mobile Surveillance was maintained on that vehicle as it left the residence. Surveillance continued throughout the day and both Hernandez and Ruiz were observed returning to the residence of [REDACTED]. At that location both individuals entered the residence.

A short time later Det. J. Schneider #2079 advised that he observed Hernandez and Ruiz exit the residence and enter the Grey Jeep Cherokee in front of the residence. Det. Schneider advised that Hernandez was operating the vehicle. The vehicle departed the location and mobile surveillance was maintained until the vehicle entered a parking lot of a Wal-Mart located at 2100 S East Loop 410.

After the vehicle entered the parking lot of the Wal-Mart and it occupied a parking stall. After a short duration it relocated to a parking space in the south east corner of the parking lot of 2000 S East Loop 410. Det. Schneider advised that a Silver Camaro with Texas Plate: LFK6529 arrived and met the awaiting parked Jeep. A female then exited the Camaro after opening the trunk to her vehicle. Det. Schneider advised that he observed Hernandez exit the Jeep and proceed to the rear of his vehicle. The unknown female then removed a red and black tool bag from the Camaro and provided it to Hernandez. Hernandez was then observed placing the tool bag into the spare tire wheel well in the rear of the Jeep. During the exchange Ruiz did not contact the unknown female or exit the vehicle. After the short exchange both vehicle then departed the location.

Mobile Surveillance was continued on the listed Jeep after the exchange. The Jeep continued east on 87 from the location and SAPD Eagle arrived to assist with surveillance. The vehicle was observed entering a property lot located at 11045 US HWY 87. Hernandez was observed exiting the Jeep and contacting a male in the driveway at that location. No exchange of property was observed at this location, and the male passenger Ruiz did not exit the vehicle. After a short duration the listed Jeep left the location.

Mobile Surveillance continued on the listed Jeep and DPS Trooper T. Miller #13983 made the location and was advised of the situation. DPS Trooper Miller advised that he observed the

listed vehicle on the main lanes of HWY 87. DPS Trooper Miller advised Detectives that he observed a rear brake light was not in operation on the listed Jeep. DPS Trooper Miller conducted a traffic stop on the listed Jeep in the 11000 Block of HWY 87. DPS Trooper Delagarza #12978 also made the location. Trooper Miller advised that the driver Hernandez failed to produce a valid copy of insurance for the listed suspect vehicle. Trooper Miller told me that Hernandez told him that he did not have insurance on the listed suspect vehicle. Trooper Miller told me that he had the driver exit the vehicle and asked him if he would provide consent for a search. Trooper Miller told me that Hernandez would not respond with a yes or no. Trooper Miller asked Hernandez if any weapons, cocaine or methamphetamine were in the vehicle. Trooper Miller advised that Hernandez was hesitant with a reply when asked if methamphetamine was in the vehicle.

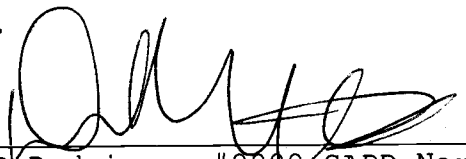
Trooper Miller deployed his K9 "Renegade" #148 at the scene. Trooper Miller advised that his K9 alerted to the rear cargo area of the listed Jeep. Trooper Miller then entered the vehicle and observed a bag in the rear wheel well of the listed Jeep. A search of that bag turned up the same red and black bag which Det. Schneider observed Hernandez place in the rear of the vehicle. The listed recovered narcotics evidence (**4250 Grams Total of Methamphetamine**). Hernandez and Ruiz were taken into custody at this time.

This Affiant made the traffic stop scene and observed the recovered evidence in the back of the listed vehicle. Det. Schneider was established as the Evidence Custodian at the scene and he collected the listed evidence. Det. Schneider advised that four individually wrapped bundles of methamphetamine were recovered from the bag he observed Hernandez place in the wheel well of the suspect vehicle. Det. Schneider advised that the listed recovered evidence field tested positive for Methamphetamine. The recovered evidence was placed in the SAPD Property Room.

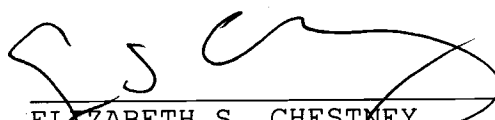
I provided Hernandez with his Miranda Rights at the scene. Hernandez advised me that he was on probation at this time. Hernandez was transported to 218 S. Laredo by DPS Trooper Delagarza #12978. Ruiz was released at the scene at this time

pending further investigation. The listed suspect vehicle was towed from the location and held for Asset Forfeiture.

Affiant further sayeth not.


D.Rodriguez #2099 SAPD Narcotics

Subscribed and sworn to on this the 4th day of October, 2019.


ELIZABETH S. CHESTNEY
UNITED STATES MAGISTRATE JUDGE